

REMARKS/ARGUMENTS

The office action of June 25, 2004, has been carefully reviewed and these remarks are supplementary responsive thereto. Applicants previously submitted an amendment on August 31, 2004. By the present supplemental amendment, Applicants amend claims 1, 3, 5-9, 23, 24, 31, 32, and 35, and add new claims 41-45. Claim 1 and 3-45 are thus now pending in the application, and reconsideration and allowance of the application are respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1 and 6 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Jonsson *et al.* (U.S. Pat. No. 5,513,246, hereinafter Jonsson). Applicants respectfully traverse this rejection for at least the following reasons.

Claim 1 has been broadened by removing the limitation to synchronized transmitters, and also by replacing the acronym DVB with “digital video broadcasting.” Applicants removed the acronym DVB because DVB can also refer to a specific standard of digital video broadcasting, whereas the term “digital video broadcasting” is broader and encompasses other standards of digital video broadcasting in addition to DVB. Any limitation to the specific DVB standard was unintentional, thus necessitating this supplemental amendment.

Claim 1 has also been amended to remove the requirement that the wireless transmitters be synchronized, as this limitation is not necessary to overcome the Jonsson reference. This claim element has been moved to new dependent claim 41.

Claim 1 has also been amended to remove the requirement that the reception is switched prior to receipt of a consecutive DVB service signal transmission burst transmitted by the second wireless transmitter, because this limitation is unnecessary to overcome the Jonsson reference. This claim element has been moved to new dependent claim 42.

Claims dependent on claim 1 have been amended to be consistent with claim 1 as necessary.

Even in view of the above amendments to claim 1, Jonsson does not teach or suggest digital video broadcasting, which is inherently unidirectional. Instead, Jonsson is limited to

bidirectional radiotelephone communications. Because Jonsson does not teach or suggest digital video broadcasting, claim 1 is not anticipated by Jonsson.

Claim 6 is dependent on independent claim 1 and is thus allowable for at least the same reasons as claim 1.

Rejections Under 35 U.S.C. § 103

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Jonsson in view of Ahopelto *et al.* (U.S. Pat. No. 5,970,059, hereinafter Ahopelto). Claim 3 has been amended to coincide with amendments made to claim 1. Claim 3 is dependent on independent claim 1 and is thus allowable for at least the same reasons as claim 1. In addition, Ahopelto does not cure the deficiencies of Jonsson.

Claims 4 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jonsson in view of Ahopelto and further in view of Bahr *et al.* (U.S. Pat. No. 4,601,586, hereinafter Bahr). Claim 5 has been amended to be consistent with amendments made to claim 1. Claims 4 and 5 depend back to independent claim 1 and are thus allowable for at least the same reasons as claim 1. In addition, neither Ahopelto nor Bahr cure the deficiencies of Jonsson.

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jonsson in view of Nguyen. Claims 7-8 have been amended to be consistent with amendments made to claim 1. Claims 7 and 8 are dependent back to amended independent claim 1 and are thus allowable for at least the same reasons as claim 1. In addition, Nguyen does not cure the deficiencies of Jonsson.

Claims 9, 11-16, 18, 21 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jonsson in view of Mäkinen (U.S. Pat. No. 5,764,700, hereinafter Mäkinen). This rejection is respectfully traversed for at least the following reasons.

Claim 9 has similarly been amended to remove recitations to synchronized transmission and switching reception prior to a consecutive transmission burst transmitted by the second wireless

transmitter. These recitations have been moved to new claims 43-44. As discussed above, Jonsson neither teaches nor suggests digital vide broadcasting. Mäkinen likewise does not teach or suggest digital video broadcasting, and instead refers only to bidirectional digital radio links. Thus, even if their combination were proper (which Applicants do not concede), the combination does not teach or suggest all the claim limitations. Claims 11-15 are dependent on amended independent claim 9, and are thus allowable for at least the same reasons as claim 9.

The rejection of independent claim 16 was addressed in Applicants' response of August 31, 2004. Claim 18 is dependent on claim 16 and is thus allowable for at least the same reasons as claim 16.

The rejection of independent claim 21 was addressed in Applicants' response of August 31, 2004. Claim 23 is dependent on claim 21, and is thus allowable for at least the same reasons as claim 21.

Claims 10, 19-20 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jonsson in view of Mäkinen and further in view of Nguyen. Each of claims 10, 19-20 and 22 is allowable for at least the same reasons as their respective base claims in view of the fact that Nguyen does not cure the deficiencies of Jonsson and Mäkinen.

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Jonsson in view of Mäkinen and further in view of Doshi *et al.* (U.S. Pat. No. 5,936,965, hereinafter Doshi). This rejection is respectfully traversed for at least the following reasons. This rejection was addressed in Applicants' response of August 31, 2004. Claim 17 is dependent on allowable claim 16, and is therefore allowable for at least the same reasons as claim 16.

New Claims

Applicants have added new claims 41-45 in order to more completely claim aspects of their invention. No new matter has been added.

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Supplemental Amendment dated October 4, 2004
Supplemental Reply to Office Action of June 25, 2004

CONCLUSION

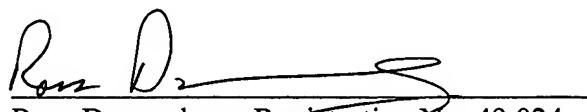
All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. However, if for any reason the examiner believes the application is not in condition for allowance or there are any questions, the examiner is requested to contact the undersigned at (202) 824-3153.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated this 4 day of Oct., 2004

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